

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTOPHER PATRICK	:	CIVIL NO. 1:19-CV-426
MCGOWAN,	:	
	:	(Chief Judge Conner)
Petitioner	:	
	:	
v.	:	
	:	
FRANKLIN COUNTY COURTS,	:	
PA STATE ATTORNEY GENERAL,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 27th day of March, 2019, upon consideration of the motion (Doc. 4) for leave to file an amended petition for writ of habeas corpus, and proposed amended petition (Doc. 4-1), and upon further consideration of petitioner's election (Doc. 8) to have this matter construed and ruled on as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, it is hereby ORDERED that:

1. The motion (Doc. 2) for leave to proceed *in forma pauperis* filed on March 12, 2019 is GRANTED.
2. The motion (Doc. 5) for leave to proceed *in forma pauperis* filed on March 21, 2019 is DISMISSED as duplicative of the previously filed motion.
3. The motion (Doc. 4) for leave to file an amended petition for writ of habeas corpus is GRANTED.
4. The Clerk of Court is directed to serve a copy of the amended petition (Doc. 4-1) and this order on respondents and the District Attorney of Franklin County. See R. GOVERNING § 2254 CASES R. 1.

5. Within twenty-one (21) days of the date of this order, respondents shall answer the allegations in the amended petition for writ of habeas corpus in the manner required by Rule 5 of the Rules Governing § 2254 Cases in the United States Courts. See R. GOVERNING § 2254 CASES R. 5(b)-(d) (explaining required contents of answer and supporting materials).
6. A memorandum of law shall be filed with the answer and shall contain the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law.
7. Petitioner shall be permitted to file a reply to the answer within fourteen (14) days of the date on which the answer is filed. See R. GOVERNING § 2254 CASES R. 5(e).
8. The court will decide whether to hold a hearing on the basis of the petition, respondents' answer, and, if filed, petitioner's reply.
9. Petitioner's motion (Doc. 7) to submit exhibits is GRANTED. The exhibits (Doc. 7-1) attached to the motion are accepted as filed.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania